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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/511,265	02/23/2000	Charlie Ghahremani	37075/JEC/X2	4000

35114 7590 09/29/2003

ALCATEL INTERNETWORKING SYSTEM, INC.  
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[REDACTED] EXAMINER

HOM, SHICK C

ART UNIT	PAPER NUMBER
2666	//

DATE MAILED: 09/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/511,265	GHAHREMANI, CHARLIE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shick C Hom	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 6/10/03, 7/8/03.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 11 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-9, 12 and 13 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                           | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) 9 . | 6) <input type="checkbox"/> Other: _____ .                                   |

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**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments with respect to claims 1-9 and 12-13 have been considered but are moot in view of the new ground(s) of rejection.

In page 7 lines 9-25, applicant argued that Volftsun et al. do not teach means instructing to pass a generic packet to an application, receive from the application the generic packet, translate the generic packet into a second protocol and send it to an output port and invoking the application for processing the generic packet. Volftsun et al. in col. 15 lines 7-13 which recite the manner in which protocol specific signaling messages are received, converted into a generic internal Universal Protocol Converter UPC format, processed and manipulated as necessary and converted again to protocol specific signaling messages that are transmitted clearly anticipate means instructing to pass a generic packet to an application, receive from the application the generic packet, translate the generic packet into a second protocol and send it to an output port and invoking the application for processing the generic packet.

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***Drawings***

2. The drawings submitted with this application were declared informal by the applicant. Accordingly they have not been reviewed by a draftsperson at this time. When formal drawings are submitted, the draftsperson will perform a review.

Direct any inquiries concerning drawing review to the Drawing Review Branch (703) 305-8404.

3. Applicant is required to submit a proposed drawing correction in reply to this Office action. However, formal correction of the noted defect can be deferred until the application is allowed by the examiner.

***Specification***

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

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***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371<sup>®</sup> of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 6-7, and 12-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Volftsun et al. (6,111,893).

Volftsun et al. teach that it is known to provide the switching system including mean for converting the signals based on protocol definitions and customer-specified parameters into a

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non-protocol specific form, e.g. a generic protocol, and then converts the generic protocol into the requisite protocol of the receiving network as set forth at col. 3 line 63 to col. 4 line 14. Col. 15 lines 7-13 and col. 3 lines 7-23 which recite the use of the protocol conversion in network applications; and col. 4 lines 47-64 which recite the second protocol in the field of digital and multiplex communications for the purpose of servicing protocols of an international telephony system clearly anticipate the means for passing a generic packet to the application, means for invoking the application for processing the generic packet, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port as in claims 1, 6, 12, the generic forwarding interface as in claim 7, and the packet forwarding application as in claim 13.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

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skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2-5 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Volftsun et al. (6,111,893) in view of Diaz et al. (5,809,021).

Volftsun et al. disclose nearly all the subject matter now claimed. Volftsun et al. teach that it is known to provide the step of converting the signals based on protocol definitions and customer-specified parameters into a non-protocol specific form, e.g. a generic protocol, and then converts the generic protocol into the requisite protocol of the receiving network as set forth at col. 3 line 63 to col. 4 line 14; and col. 15 lines 7-13 and col. 3 lines 7-23 which recite the use of the protocol conversion in network applications; and col. 4 lines 47-64 which recite the second protocol in the field of digital and multiplex communications for the purpose of servicing protocols of an international telephony system clearly anticipate the step of passing a generic packet to the application, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port as in claim 1. Volftsun et al. teach that it is known to provide the

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switching system including mean for converting the signals based on protocol definitions and customer-specified parameters into a non-protocol specific form, e.g. a generic protocol, and then converts the generic protocol into the requisite protocol of the receiving network as set forth at col. 3 line 63 to col. 4 line 14. Col. 15 lines 7-13 and col. 3 lines 7-23 which recite the use of the protocol conversion in network applications; and col. 4 lines 47-64 which recite the second protocol in the field of digital and multiplex communications for the purpose of servicing protocols of an international telephony system clearly anticipate the means for passing a generic packet to the application, means for invoking the application for processing the generic packet, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port as in claim 6.

Volftsun et al. did not recite placing packet into the receiving and forwarding queues corresponding to a quality of service level of the packet as in claims 2, 3, 8, 9; the destination port being selected from a group consisting of internal external unicast or multicast ports as in claim 5; and sending packet to a backplane wherein the packet having port

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address within a range reserved for the destination port as in claim 4.

Diaz et al. disclose the above missing limitations. Note col. 1 lines 29-43 which recite services that support bursty information types such as packet services and col. 1 line 66 to col. 2 line 38 which recite a multi-service switch for a telecommunications network including a plurality of interface modules each have an input and an output whereby the input being coupled to the egress portion of the system bus, and the output being coupled to the ingress portion of the system bus operable to perform distributed switching wherein an ingress/egress bridge is coupled to the ingress portion of the system bus, and the output of the ingress/egress bridge is coupled to the egress portion of the system bus configured to support a plurality of types of telecommunications services having unique data formats including the interworking of different service types, that is, the transformation of telecommunications information received in a first format to a second format for transmission in the second format to other entities in the network clearly anticipate the data switch including the plurality of interface modules having the method of forwarding block of data comprising receiving a first packet in a first protocol, translating the first

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packet into another protocol or format. Col. 16 lines 36-57 which recite the multi-service switch composing of multiple clusters of chassis and the cluster of chassis connected to the output port clearly anticipate sending the translated packet to an output port. Col. 19 lines 24-43 which recite the multi-service switch system maintaining the switching delay component of the quality of service using a timestamping procedure which records the time of arrival and the time of departure from the queue clearly anticipate placing packet into the receiving and forwarding queues corresponding to a quality of service level of the packet as in claims 2, 3. Col. 16 line 58 to col. 17 line 29 which recite the use of the group address/multicast connection number field and providing entities with packet bus overlay bearer services consisting of both point to point unicast and point to multi-point multicast modes of data transfer clearly anticipate the destination port being selected from a group consisting of internal external unicast or multicast ports as in claim 5. Col. 18 line 53 to col. 19 line 5 which recite the datagram destination address being examined by the packet bus entities, placing it in the egress queuing system according to the associated class of service level, maintaining in separate subqueues to provide the quality of service levels associated

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with each class of service, and local and external switching of packet services in the same chassis or cluster, and for external switching between entities in different clusters clearly anticipate the sending packet to a backplane wherein the packet having port address within a range reserved for the destination port as in claim 4.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the step of passing a generic packet to the application, receiving from the application the generic packet and translating the generic packet into a second protocol and sending it to an output port and the generic forwarding interface as taught by Volftsun et al. to the multi-service switching system of Diaz et al. because Volftsun et al. teach the desirable added feature of servicing protocols of an international telephony system in Diaz et al.

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**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Crouch et al. disclose a generic distributed protocol converter. Macera et al. disclose a system having central processor for transmitting generic packets to another processor to be altered and transmitting altered packets back to central processor for routing (see col. 6 lines 29-48).

10. Any response to this nonfinal action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (2600 Receptionist at (703) 305-4750).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick Hom whose telephone number is (703) 305-4742. The examiner's regular work schedule is Monday to Friday from 8:00 am to 5:30 pm EST and out of office on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao, can be reached at (703) 308-5463.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

SH

September 22, 2003

Seema S. Rao  
SEEMA S. RAO 9/22/03  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600